

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

CASEY CUNNINGHAM *et al.*,

Plaintiffs,

v.

CORNELL UNIVERSITY *et al.*,

Defendants.

No. 1:16-CV-06525-PKC

**NOTICE OF PLAINTIFFS' MOTION  
IN RESPONSE TO THE COURT'S JANUARY 28, 2019  
ORDER (DOC. 244) TO SHOW CAUSE IN WRITING TO MAINTAIN  
UNDER SEAL EXHIBITS IDENTIFIED IN EXHIBIT A OF DOCUMENT 243**

Please take notice that, upon the accompanying Motion and Memorandum of Law dated February 11, 2019, and the exhibits attached thereto, Plaintiffs will move this Court before The Honorable P. Kevin Castel, at the Daniel Patrick Moynihan United State Courthouse for the Southern District of New York, 500 Pearl Street, Courtroom 11D, New York, New York 10007, for an Order directing Defendants' counsel to file under seal excerpts from two documents filed by Cornell University, the Retirement Plan Oversight Committee, and Mary G. Opperman identified in the accompanying Memorandum, filed as Exhibits A and B to the Declaration of Brian D. Netter regarding Defendants' Motion to Exclude Plaintiffs' Experts Dominguez and Buetow and Exhibit 106 to the Declaration of Samuel P. Myler in Support of Defendants' Motion for Summary Judgment. The grounds for this motion are described in the accompanying memorandum.

February 11, 2019

Respectfully Submitted,

/s/ Scott T. Apking

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### **CERTIFICATE OF SERVICE**

I hereby certify that on February 11, 2019, a copy of the foregoing was filed electronically using the Court's CM/ECF system, which will provide notice of the filing to all counsel of record.

/s/ Scott T. Apking